

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

INGENUS PHARMACEUTICALS, LLC,

Plaintiff,

v.

HETERO USA, INC., HETERO LABS LTD.,
and HETERO LABS LTD. UNIT-VI,

Defendants.

C.A. No. 24-1025-JLH

MOTION FOR TELECONFERENCE TO RESOLVE DISCOVERY DISPUTES

Plaintiff Ingenus Pharmaceuticals LLP (“Ingenus” or “Plaintiff”) respectfully moves the Court to schedule a teleconference to address outstanding disputes regarding the following discovery matters:

- The refusal by Defendants Hetero USA, Inc., Hetero Labs Ltd., and Hetero Labs Ltd. Unit-VI (together, “Hetero” or Defendants”) to substantively respond to Plaintiff’s Interrogatory Nos. 1-3, 5-8, and 11, concerning, *inter alia*: the consideration and development of Defendants’ ANDA Product; Defendants’ awareness of and actions taken with respect to the ’952 Patent; and Defendants’ Paragraph IV Certification.
- Defendants’ refusal to produce documents in this litigation, besides Defendants’ ANDA filing, including documents responsive to Plaintiff’s Document Request Nos. 2, 5-10, 13-14, 16-18, 20-21, and 23-36, concerning, *inter alia*: Defendants’ decision and efforts to manufacture, market, advertise, and sell Defendants’ ANDA Product and any product of Defendants containing cyclophosphamide; the composition, development, research, and testing of Defendants’ ANDA Product

and any product of Defendants containing cyclophosphamide; and Defendants' organizational structure.

The following attorneys, including at least one Delaware Counsel and at least one Lead Counsel per party, participated in a verbal meet-and-confer by telephone on March 20, 2025:

Delaware Counsel:

- Daniel Taylor (Ingenus)
- Kenneth Dorsney (Hetero)

Lead Counsel:

- L. Roman Rachuba (Ingenus)
- Wesley E. Weeks (Hetero)

Plaintiff respectfully requests that the teleconference be scheduled for April 29, 2025, the same day the Court scheduled the teleconference for Defendants' discovery dispute. D.I. 35.

Dated: April 21, 2025

**SMITH, KATZENSTEIN & JENKINS
LLP**

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